



Express Mail no. EV 346 810 997 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Judith Graham et al.

Confirmation No. 2563

Application No.: 10/621,359

Group Art Unit:

Filed: July 18, 2003

Examiner:

For: CREAMY FOODSTUFF AND  
METHOD FOR PRODUCTION  
THEREOF

Attorney Docket No.: 88265-6795

**RESPONSE TO MISSING PARTS  
AND PAYMENT OF RETENTION FEE**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

In response to the Notice to File Missing Parts of Non-Provisional Application mailed October 20, 2003, a copy of which is enclosed, Applicant respectfully requests, pursuant to 37 C.F.R. § 1.53(f), that the above-identified application be retained and not destroyed.

A retention fee of \$130.00 is believed to be due for the processing of this request. Please charge the required retention fee to Winston & Strawn Deposit Account No. 50-1814.

An extension of time for responding is also submitted.

The payment of this fee and the filing of the extension are intended to retain the July 18, 2003 filing date of this application and to maintain the application pending until May 20, 2004. A continuing application is filed on even date herewith, May 18, 2004, claiming priority of this application, such that co-pendency with this application is necessary and desired.

Respectfully submitted,

Date: 5/18/04

Allan A. Fanucci (Reg. No. 30,256)

**WINSTON & STRAWN**  
Customer Number 28765  
(212) 294-3311

08/24/2007 SDIRETA1 00000001 501814 10621359

01 FC:8025 130.00 DA

EXPRESS MAIL LIST

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

The following items listed below are being filed herewith with the USPTO on May 18, 2004

Express Mail No. <b>EV 346 810 997 US</b>		
Attorney Docket No.	Appln. Serial No./ Patent No.	Items - Documents filed on May 18, 2004
88265-6795	10/621,359	Petition for Extension of Time Under 37 CFR § 1.136(a) (in duplicate); Response to Missing Parts and Payment of Retention Fee; Copy of Notice

***Please acknowledge receipt of these items as received by returning  
the enclosed postcards with the date of receipt of May 18, 2004***

NY:863041.5



UNITED STATES PATENT AND TRADEMARK OFFICE

 UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/621,359	07/18/2003	Judith Graham	88265-6795

CONFIRMATION NO. 2563

## FORMALITIES LETTER

  
 \*OC000000011067578\*

28765

 WINSTON & STRAWN  
 PATENT DEPARTMENT  
 1400 L STREET, N.W.  
 WASHINGTON, DC 20005-3502

Date Mailed: 10/20/2003

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

A copy of this notice **MUST** be returned with the reply.

05/21/2004 ZJUHA1 00000081 501814 10621359

01 FC:1051 130.00 DA

 Adjustment date: 08/24/2007 SDIRETA1  
 05/21/2004 ZJUHA1 00000081 501814 10621359  
 01 FC:1051 130.00 CR

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE